

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-2661

Genick Bar-Meir,

Appellant,

v.

North American Die Casting
Association,

Appellee.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: November 27, 2002

Filed: December 26, 2002

Before BOWMAN, BRIGHT, and LOKEN, Circuit Judges.

PER CURIAM.

Genick Bar-Meir filed this action against the North American Die Casting Association (NADCA), requesting an order that the domain name “nadca.org” should remain with him. NADCA filed counterclaims under the Lanham Act, 15 U.S.C. § 1051 et seq., seeking injunctive relief and damages. We previously affirmed in an interlocutory appeal the district court’s¹ grant of injunctive relief and summary

¹The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Susan Richard Nelson, United States Magistrate Judge for the District of Minnesota.

judgment to NADCA, and we now affirm the remaining pretrial orders² that Bar-Meir challenges on appeal.

We hold the district court did not abuse its discretion in any of its discovery rulings. See SDI Operating P'ship v. Neuwirth, 973 F.2d 652, 655 (8th Cir. 1992) (standard of review). We also hold the court did not abuse its discretion in refusing to impose the costs of personal service on NADCA, given that Bar-Meir did not show compliance with Federal Rule of Civil Procedure 4(d)(2)(D); or in refusing to continue a hearing on the summary judgment motion, see Wisland v. Admiral Beverage Corp., 119 F.3d 733, 737 (8th Cir. 1997) (district court is given wide authority and discretion to manage its caseload), cert. denied, 522 U.S. 1112 (1998). We further hold the district court did not err in denying Bar-Meir's motion to vacate the reference to the magistrate judge. See 28 U.S.C. § 636(b)(1). We do not consider the propriety of the district court's damages award, as Bar-Meir did not argue the issue on appeal. See Fed. R. App. P. 28(a)(9)(A) (appellant's brief must contain contentions on issues presented and reasons for them); Etheridge v. United States, 241 F.3d 619, 622 (8th Cir. 2001) (claims not argued on appeal are abandoned).

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

²Magistrate Judge Nelson.